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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA **BILLINGS DIVISION**

TRACY CAEKAERT, and CAMILLIA Cause No. CV 20-52-BLG-SPW MAPLEY,

Plaintiffs,

VS.

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., WATCH TOWER BIBLE AND TRACT SOCIETY OF PENNSYLVANIA, and BRUCE MAPLEY SR.,

Defendants.

**DEFENDANTS WATCH TOWER BIBLE AND TRACT SOCIETY OF** PENNSYLVANIA'S AND WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC.'S JOINDER IN THE HARDIN **CONGREGATION'S BRIEF OPPOSING PLAINTIFFS' MOTION TO COMPEL RE:** HARDIN CONGREGATION'S SUBPOENA (Doc. 66)

	)			
WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC.	))))			
Cross-Claimant,	) )			
vs.	)			
BRUCE MAPLEY SR.,				
Cross-Claim Defendant.	)			

Defendants Watch Tower Bible and Tract Society of Pennsylvania (hereinafter "WTPA") and Watchtower Bible and Tract Society of New York, Inc. (hereinafter "WTNY"), by and through their attorneys, hereby join in the Hardin Congregation's Brief Opposing Plaintiffs' Motion to Compel Re: Hardin Congregation's Subpoena (hereinafter the "Hardin Congregation's BIO Pl.'s MTC Subpoena") (Doc. 66).<sup>1</sup>

Though neither WTPA nor WTNY are <u>directly</u> involved with the issues Plaintiffs have raised regarding their subpoena issued on the Hardin Congregation, as the Hardin Congregation's Brief in Support of Motion to Permissively Intervene

Subpoena (Doc. 58) could have a broader impact on Jehovah's Witnesses.

<sup>&</sup>lt;sup>1</sup> Nothing herein is intended to constitute an implicit or explicit waiver of WTPA's position it is not subject to personal jurisdiction in Montana. Instead, WTPA, like WTNY, joins in the Hardin Congregation's BIO Pl.'s MTC Subpoena because the matter was raised during jurisdictional discovery and the issues presented by Plaintiffs' Motion to Compel Re: The Hardin Congregation

Pursuant to Rule 42(b), F.R.Civ.P. (Doc. 64) points out, the issues presented have

significant implications for Jehovah's Witnesses. See Doc. 64, p. 3. WTPA and

WTNY agree with the Hardin Congregation that a ruling communications made with

an express expectation such communications will be maintained in strict confidence

are not in fact strictly confidential and are not immune from production would have

a chilling impact on Jehovah's Witnesses' ability to practice their faith in accordance

with the fundamental tenets, doctrines, canons, beliefs and established practices

which ensure congregants and elders that any communication made with an

expectation of confidentiality will be maintained as such. See id.

Therefore, for the reasons aptly set forth in the Hardin Congregation's BIO

Pl.'s MTC Subpoena (Doc. 66), WTPA and WTNY both agree Plaintiffs' Motion to

Compel Re: The Hardin Congregation Subpoena (Doc. 58) should be denied.

DATED this 12th day of May, 2021.

By: /s/ Jon A. Wilson

Jon A. Wilson

BROWN LAW FIRM, P.C.

Attorneys for Defendants Watchtower Bible and Tract Society of New York, Inc., and Watch Tower Bible and

Tract Society of Pennsylvania

## **CERTIFICATE OF COMPLIANCE**

Pursuant to L.R. 7.1(d)(2)(E), the undersigned hereby certifies this brief complies with L.R. 7.1(d)(2)(A). According to the word-processing unit used to prepare this brief, the word count is **304** words excluding caption and certificates of service and compliance.

DATED this 12th day of May, 2021.

By: /s/ Jon A. Wilson

Jon A. Wilson

BROWN LAW FIRM, P.C.

Attorneys for Defendants Watchtower Bible and Tract Society of New York, Inc., and Watch Tower Bible and Tract Society of Pennsylvania

## **CERTIFICATE OF SERVICE**

I hereby certify that, on May 12, 2021, a copy of the foregoing was served on the following person(s):

- 1. U.S. District Court, Billings Division
- Robert L. Stepans
  Ryan R. Shaffer
  James C. Murnion
  MEYER, SHAFFER & STEPANS, PLLP
  430 Ryman Street
  Missoula, MT 59802
- 3. Bruce G. Mapley Sr. 3905 Caylan Cove Birmingham, AL 35215

by the following means:

1, 2	CM/ECF		Fax
	Hand Delivery		E-Mail
3	U.S. Mail		Overnight Delivery Services
		Bv:	/s/ Jon A. Wilson
		<i>J</i> · _	Jon A. Wilson
			BROWN LAW FIRM, P.C.
			Attorneys for Defendants Watchtower
			Bible and Tract Society of New York,
			Inc., and Watch Tower Bible and
			Tract Society of Pennsylvania